

Panaji, 2nd November, 1984 (Kartika 11, 1906)

SERIES II No. 31

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 6/3/81-PER (Vol. III)

The Administrator of Goa, Daman and Diu is pleased to order transfer of the following Grade II Officers of Goa, Daman and Diu Civil Service with immediate effect: —

Sr. No.	Name of the officer and present posting	Posted on transfer as
1	2	3
1.	Shri N. D. Vengurlekar, Asstt. Director of Pan-chayats	Dy. Collector (Land Acquisition Officer) vice Shri P. M. Borkar transferred.
2.	Shri P. M. Borkar, Dy. Collector (Land Acquisition Officer)	Asstt. Director of Pan-chayats vice Shri N. D. Vengurlekar transferred.

2. Shri Vengurlekar shall continue to hold the charge of the Administrator of Ponda Municipal Council in addition to his own duties as Land Acquisition Officer.

3. Shri P. M. Borkar shall move first and relieve Shri Vengurlekar.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 25th October, 1984.

Home Department (General)

Order

No. 5/16/82-HD(G)/Part file(i)

Read order: — 1) No. HD(T) 2-19/77 dated 1-11-1977

2) No. 5/16/82-HD(G)/Part file(i) dated 14-12-1983.

On the recommendations of the Departmental Promotion Committee, the Administrator of Goa, Daman and Diu is pleased to promote on regular basis the following Motor Vehicle Inspectors in the Directorate of Transport to the post of Assistant Director of Transport (Group 'B' Gazetted) in the pay scale of Rs. 650-30-740-35-880-EB-40-960 with effect from 12-7-1984. Their names have been shown below in the order of merit.

- 1) Shri S. M. Dikshit.
- 2) Shri Errol Mathias.
- 3) Shri Eduardo Cruz.

2. They will be on probation for a period of 2 years.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. N. S. Nair, Under Secretary (Home).

Panaji, 25th October, 1984.

Planning Department

Order

No. 4-19-75/PLG-Vol-II

On recommendation of Group 'B' Departmental Promotion Committee of the Common Statistical Cadre, the Administrator of Goa, Daman & Diu is pleased to appoint the following Statistical Assistants to the post of Research Assistant Group 'B' Gazetted in the scale of pay of Rs. 550-25-750-EB-30-900 of the same cadre on a regular basis in an officiating capacity with immediate effect.

Sr. No.	Name of the Officer/Official with present designation and place of posting	Place of posting on promotion	Remarks
1	2	3	4
1.	Shri S. H. Bhat, Research Asstt. on adhoc basis in the Dte. of Planning, Statistics & Evl., Panaji.	Dte. of Planning, Stat. & Evl., Panaji.	
2.	Shri M. G. Naik, Research Asstt. on adhoc basis in the Dte. of Planning, Statistics & Evl., Panaji.	Dte. of Planning, Stat. & Evl., Panaji.	
3.	Shri M. S. Rane, Research Asstt. on adhoc basis in the Dte. of Fisheries, Panaji.	Dte. of Fisheries, Panaji.	
4.	Shri M. R. Sinari, Research Asstt. on adhoc basis in the Dte. of Planning, Statistics & Evl., Panaji.	Dte. of Planning, Stat. & Evl., Panaji.	
5.	Shri T. A. Rane, Research Asstt. on adhoc basis in the Dte. of Planning, Statistics & Evl., Panaji.	Dte. of Planning, Stat. & Evl., Panaji.	
6.	Shri R. V. Pereira, Statistical Assistant, in the Dte. of Planning & Stat. & Evl., Panaji.	Dte. of Industries and Mines, Panaji.	
7.	Shri A. D. Narvenkar, Research Asstt. on adhoc basis in the Dte. of Agriculture, Panaji.	Dte. of Agriculture, Panaji.	
8.	Shri F. O. Colaco, Research Asstt. on adhoc basis in the Dte. of Planning, Statistics & Evl., Panaji.	Dte. of Planning, Stat. & Evl., Panaji.	
9.	Shri R. B. Prabhu, Research Asstt. on adhoc basis in the Dte. of Planning, Statistics & Evl., Panaji.	Dte. of Planning, Stat. & Evl., Panaji.	

Shri S. J. Borkar presently working as Research Assistant on adhoc basis in the Directorate of Industries and Mines,

Panaji, shall stand reverted to the post of Statistical Assistant of the Common Statistical Cadre arising due to promotion of Shri R. V. Pereira, Statistical Assistant to the post of Research Assistant on regular basis.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. W. Rane Sardesai, Under Secretary (Planning).

Panaji, 19th October, 1984.

Order

No. 4-19-75/PLG-Vol-II

On recommendation of Group 'B' Departmental Promotion Committee of the Common Statistical Cadre, the Administrator of Goa, Daman & Diu is pleased to appoint the following Research Assistants to the posts of Statistical Officer, Group 'B' Gazetted, in the scale of pay of Rs. 650-30-740-35-810-EB-35-880-40-1200 of the same cadre on regular basis in an officiating capacity with immediate effect.

Sr. No.	Name of the Officer/Official with present designation and place of posting	Place of posting on promotion	Remarks
1	2	3	4
1.	Shri B. V. Dubhashi, Statistical Officer on ad-hoc basis in the Dte. of Planning, Statistics & Eval., Panaji.	Dte. of Planning, Statistics and Evaluation, Panaji.	
2.	Shri D. G. K. Bambolkar, Statistical Officer on ad-hoc basis in the Dte. of Health Services.	Dte. of Health Services, Panaji.	
3.	Shri A. M. Shaikh, Statistical Officer on ad-hoc basis in the Collectorate of Daman.	Collectorate of Daman, Daman.	
4.	Shri Faquir Chand, Research Assistant.	—	Presently working as Statistical Officer by transfer on deputation with the Dadra & Nagar Haveli Admn. Silvassa.
5.	Shri Ivo Furtado, Statistical Officer on ad-hoc basis in the Dte. of Industries & Mines, Panaji.	Dte. of Industries & Mines, Panaji.	
6.	Shri J. L. M. P. Dias, Research Assistant in Dte. of Social Welfare, Panaji.	Dte. of Planning, Statistics & Eval., Panaji, vice Shri R. B. Dessai transferred.	

Shri R. B. Dessai presently working as Statistical Officer on adhoc basis in the Directorate of Planning, Statistics and Evaluation, Panaji will stand reverted to the post of Research Assistant in the Common Statistical Cadre and posted on transfer in the Directorate of Social Welfare, Panaji in the vacancy arisen due to promotion of Shri J. L. M. P. Dias to the post of Statistical Officer on regular basis.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. W. Rane Sardesai, Under Secretary (Planning).

Panaji, 19th October, 1984.

Works, Education and Tourism Department

Order

No. 17-13-78-WET

The Government is pleased to constitute the State Council of Technical Education for the Union Territory of Goa, Daman and Diu with the following Members:—

1. Hon'ble Chief Minister — Chairman.
2. Hon'ble Minister for Education — Vice Chairman.

A. Ex-Officio Members

1. Vice Chancellor, University of Bombay — Bombay.
2. Director — National Institute of Oceanography, Dona Paula.
3. Secretary Education, Government of Goa, Daman & Diu.
4. Secretary Finance, Government of Goa, Daman & Diu.
5. Director of Technical Education, Govt. of Maharashtra, Mahapalika Marg, Bombay.
6. Director of Training, Board of Apprenticeship Training, Chatrapati Shivaji Maharaj Market, Phalton Road, Bombay.
7. Asstt. Education Adviser (T), Western Regional Officer, Industrial Assurance Bldg., V. N. Road, Churchgate, Bombay.
8. Chairman, Board of Technical Examination Eliphinston Technical High School, Bldg. 3-Mahapalika Marg, Bombay.
9. Director of Mines Safety — Goa Region — Margao.
10. Commissioner of Labour and Employment, Panaji.
11. Director of Industries and Mines, Panaji.
12. Principal, Technical Teachers Training Institute Western Region, Bhopal.
13. Chief Engineer, P.W.D., Altinho-Panaji.
14. Chief Engineer, Irrigation, Junta House-Panaji.
15. Chief Engineer, Electricity Department, Panaji.
16. Chairman Board of Secondary and Higher Secondary Education, Goa, Daman and Diu, Porvorim.
17. Director of Post Graduate Centre, Panaji.
18. Director of Technical Education, Panaji-Goa.

B. Representatives of various organisation in the Union Territory

1. The President — Goa Chamber of Commerce and Industry, Panaji.
2. The President — Goa Mineral Ore Exports Association, Panaji.
3. The Chairman — Association of Indian Engineering Industry, Goa Zonal Committee, Vasco-da-Gama.
4. The Chairman, Economic Development Corporation, Goa, Daman & Diu, Saraswati Bldg., Panaji.
5. The Chairman, Mormugao Port Trust, Marmagao.
6. The Chairman, Goa Shipyard, Vasco-da-Gama.
7. The General Manager, M/s. Zuari Chemicals Sancoale-Goa.

C. Representatives of Trade Unions

1. Shri Gurudas Ramdas Prabhu Gaonkar, C/o Arlem Employees, Breweries Employees Union, Margao.

D. Representatives of Technical Institution/College

1. The Principal, Govt. Polytechnic, Altinho-Panaji.
2. The Principal, Agnel Polytechnic, Agnel Ashram, Verna, Salcete-Goa.
3. The Principal, Institute of Ship Building, Vasco.

E. Representatives from Industrial Estates

1. Shri Vernekar, M/s Goa Capacitors, Khorlim Industrial Estate, Ilhas-Goa.
2. Shri Krishna, M/s Photophones Ltd. Karaswada, Tivim-Bardez-Goa.
3. Shri Ramkrishna Salgaonkar M/s Collapsible Tubes, Margao-Goa.

F. Representatives of construction Company

1. Shri Anil Counto M/s Alcon Construction, Panaji.
2. Shri Ramesh Kamat C/o M/s Ramesh Kamat Architects, Panaji.

General

1. Shri Prabhakar Angle, Panaji.
2. Shri Ramnath Kare, Margao.
3. Shri D. R. Karnure, Principal, Engineering College, Pravara Nagar, P. O. Loni, Dist.: Ahmednagar.
4. The Principal, Goa College of Engineering, Farmagudi-Ponda, shall be the Member Secretary.

Functions:

The functions of the State Council shall be to: —

- i) Carry out the policy laid down by the A.I.C.T.E. and such other national bodies in respect of syllabi, equipment, staff, scale and accommodation, duration of courses and methods of training, etc.
- ii) Survey facilities for the Technical Education and make recommendation for the development of technical education in the Territory at all stages.
- iii) Make recommendations for the promotion of liaison between the technical institutes and industries.
- iv) Recommend development of students and staff amenities.
- v) Approve, recommend and coordinate the technical education programme submitted by voluntary educational organisations.
- vi) Collect information wherever necessary pertaining to the working of technical courses and suggest improvement, in any subject/branches of technical education.
- vii) Constitute wherever necessary ad-hoc committee to consider any question referred to the State Council.
- viii) Examine the present rules and regulations whereby educational services and Institutes are run and propose to Government necessary alterations with a view to improve the efficiency of the services and the Institutes.
- ix) Make rules for transactions of its business.
- x) Recommend proposals for research and development.
- xi) Perform such other functions as may be entrusted to it by the Government.

Terms of Office Members:

The terms of office of all the members of the State Council shall be 3 years from the date of appointment or nomination as the case may be provided that the member nominated or appointed in his capacity as a member of a particular body or a holder of a particular appointment shall automatically cease to be the member if he ceases to be the member of that body or holder of that appointment. Any person appointed to a casual vacancy among the non-off-residue of the term for which the person whose place he fills would have been a member.

The terms of office of the members of the ad-hoc committee shall automatically cease as soon as the purpose of appointment of the committee is fulfilled or the term specified in the appointment of the ad-hoc committee whichever is earlier.

Proceeding of the State Council:

- i) The Chairman of the State Council when present shall preside over all the meetings of the Council.
- ii) In the absence of the Chairman, the Vice-Chairman shall preside over the meeting.
- iii) In the absence of both the Chairman and the Vice-Chairman the members of the State Council shall elect a Chairman from amongst the members present and he shall preside over that particular meeting.
- iv) One third of the number of members of the State Council shall constitute the quorum for any meeting of the Council.
- v) Not less than 30 days notice of every meeting of the State Council shall ordinarily be given to each member, but a shorter notice may be given for urgent meeting. The State Council shall meet as often as may be necessary, but at least once in a year.
- vi) The agenda of every meeting shall be sent so as to reach the members of 7 days before the scheduled date of the meeting.
- vii) The Chairman of the Council may in special circumstances instead of convening a meeting obtain

the views of the members on any item of business individually be circulated.

- viii) No proceedings of the State Council shall be invalidated merely by reason of existence of any vacancy or vacancies amongst the members.

Committees:

The State Council shall have the power to appoint sub-committee for assisting it in the discharge of its functions.

Recommendations:

The recommendations of the State Council shall be referred to the Government for their decision.

Staff:

The Secretary of the State Council shall provide the required secretariat assistance to the State Council.

Finances:

The entire expenses of the State Council shall be borne by the Government Official members of the State Council and the Sub-Committee appointed by the Council will be entitled for travelling and other allowances for attending the State Council meetings and for performing the work connected with the State Council, from their respective department. Non-official members of the State Council who will not bear their expenses on TA/DA will be borne by the Government. They shall be permitted to travel by air from their headquarters to Panaji and back or at the rate as admissible to Grade I Officers.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Sawant, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 9th October, 1984.

Order

No. 8/74/78/WET (i)

Read: Government Order No. 8/26/83/WET dated 30/11/83.

In partial modification to Government Order quoted above, Government is pleased to appoint the Hon'ble Minister for Sports and Culture of Goa, Daman and Diu as Vice-Chairman of State Level Coordination Committee for International Youth Year 1985 for the remaining period of its tenure in place of Hon'ble Minister for Education, Government of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Sawant, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 20th October, 1984.

Order

No. 8/74/78/WET (ii)

Read: Government Order No. 8/32/80/WET dated 13/7/84.

In partial modification to Government order referred to above, Government is pleased to appoint the Hon'ble Minister for Sports and Culture of Goa, Daman and Diu as Chairman of Cultural Development Committee for the Union Territory of Goa, Daman and Diu for the remaining period of its tenure in place of Hon'ble Minister for Education of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Sawant, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 20th October, 1984.

Order

No. 8/74/78/WET (iii)

Read: Government Order No. 8/101/79/WET dated 19-7-80.

In partial modification to para 2 of Government Order referred to above, Government is pleased to nominate the Hon'ble Minister for Sports and Culture of Goa, Daman and Diu as member of the General Council and Executive Board of Kala Academy in place of Hon'ble Minister for Education of Goa, Daman and Diu until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Sawant, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 20th October, 1984.

Order

No. 8/74/78-WET (iv)

Read: Government Order No. 8-104-79-WET dated 25-10-83.

In partial modification to Government Order referred to above, Government is pleased to appoint the Hon'ble Minister for Sports and Culture of Goa, Daman and Diu as Chairman of the Goa, Daman and Diu State Advisory Committee for National Service Scheme for the remaining period of the tenure of the said Committee in place of Hon'ble Minister for Education of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Sawant, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 20th October, 1984.

Order

No. 8/74/78/WET

Read: Government Order of even number dated 19/6/82.

In partial modification to Government Order quoted above, Government is pleased to appoint the Hon'ble Minister for Sports and Culture as member of Goa, Daman and Diu State Council of Sports for the remaining period of the tenure of the said Committee in place of Hon'ble Minister for Education of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Sawant, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 20th October, 1984.

Local Administration and Welfare Department

Office of the Asstt. Registrar of Cooperative Societies

No. 1/11/67-Seva/Ucassaim/ARNZ/84

Read: — 1. Annual Audit Reports of Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim for the years 1982-83 and 1983-84.

2. Annual Audit Reports of Bastora M. P. Coop. Service Society Ltd., Bastora for the years 1982-83 and 1983-84.

3. Bye-laws of Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim and Bastora M. P. Coop. Service Society Ltd., Bastora.

4. Letter No. 1/11/67-Seva/Ucassaim/ARNZ/72/84 dt. 6th Feb., 1984 addressed to the Chairman 1) Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim and

2) Bastora M. P. Coop. Service Society Ltd., Bastora enclosing therewith the draft amalgamation order dt. 6-2-1984 requesting therein to invite objections/suggestions if any from the members/creditors.

5. Letter No. 1/11/67-Seva/Ucassaim/ARNZ/72/84 dt. 6-2-1984 enclosing therewith the draft amalgamation order dt. 6-2-1984 to the Chairman, The Goa State Co-op. Bank Ltd., Panaji, requesting therein to offer comments/views.

6. Letter No. GSCB/ADM/552 dated 23-7-1984 of the Manager, The Goa State Co-op. Bank Ltd., Panaji stating therein that the Bank has no objection for amalgamation.

1. Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim and Bastora M. P. Coop. Service Society Ltd., Bastora were registered under Registration No. RES-(c)-137/Goa dated 18-12-1963 and No. RES-(c)-135/Goa dated 18-12-1963 respectively with the main object of catering to the Agricultural members by providing them Agricultural Credit and other requirements such as improved seeds, fertilisers etc.

2. With a view to helping the societies to achieve their objects they were given financial assistance by way of Government Share Capital Contribution to the tune of Rs. 6,660.00 in case of Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim and Rs. 2,700.00 in respect of Bastora M. P. Coop. Service Society Ltd., Bastora as per the pattern of assistance to the Agricultural Credit Societies. However, The Bastora M. P. Coop. Service Society Ltd., has refunded the Government Share Capital of Rs. 2,700.00 in the year, 1982-83.

3. From the Annual Audit Reports of both Societies it is observed that they have not undertaken the Activities to fulfil the main objectives in their bye-laws such as Supply of Agricultural Credit and other requisites to the Agriculturist members and the societies have concentrated all their efforts towards consumers' activities. There is ample scope for developing Agricultural Credit Business in the village falling within the jurisdiction of the said societies. The Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., has closed the Fair Price Shop and it is stagnant since 1-1-1982. Hence, it is felt necessary to amalgamate both the societies to form a single, strong and viable unit with the result that the Agriculturist members of their respective jurisdiction will derive benefits from the single unit that will be formed by amalgamation of these two Primary Agricultural Credit Societies.

A Draft order as stated at Sr. No. 4 above directing amalgamation of the aforesaid Societies was issued inviting suggestions/objections of the members/creditors of the concerned Societies. However, the replies sent by both the societies are not satisfactory/convincing. Further the Goa State Co-op. Bank Ltd., Panaji under its letter at Sr. No. 6 above has favoured the amalgamation of the aforesaid societies.

In view of the above, I hereby pass the following Order.

Order

In virtue of the powers vested in me under Section 17A(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu read with rule 14(A) of the Cooperative Societies Rules, 1962 the Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim and Bastora M. P. Coop. Service Society Ltd., Bastora were issued draft amalgamation order under the letter dated at Sr. No. 4 above and circumstances leading to the amalgamation have been explained and hence in terms of aforesaid section, I hereby confirm the said draft amalgamation order of the said societies on the following lines:

1. The Bye-law No. 1 of Bastora M. P. Coop. Service Society Ltd., Bastora-Bardez shall be amended to read as "The name of the Society is Bastora, Ucassaim Group M. P. Coop. Service Society Ltd., Bastora-Bardez. Any change of address shall be notified to the Registrar within 30 days, as per the provisions of Section No. 37 and Rule No. 28 of the Act and Rules respectively. Any change of address shall not be treated as registered unless it is indicated in the Bye-laws by amending them and the amendment so made is registered under the Act.

1.A. The Society shall obtain the prior sanction of the Registrar before opening any branch or branches and also

shall communicate any change in the address/es of its branch/branches in the manner prescribed in bye-laws No. 1.

2. The Bye-laws No. 4 of Bastora M. P. Coop. Service Society Ltd., Bastora shall be amended to read as "Any person who fulfils the conditions laid down in Bye-laws No. 5 and who resides in the Bastora, Ucassaim, Paliem, Punola villages is eligible for the membership of the society. In case if a new society with similar objects is organised in the area of operation of the society the areas falling under the area of operation of this new society will be deleted from the area of operation of the society."

3. The Bye-law No. 38 of Bastora M. P. Coop. Service Society Ltd., Bastora-Bardez shall be amended to read as "The Management of the Society shall be carried on by the Managing Committee of the society. The Managing Committee shall consist of 9 members. Out of which 5 members from Bastora village and 4 members from Ucassaim, Paliem, Punola villages. The election of the Managing Committee Members shall be made in the Annual General Meeting by secret ballot. The Managing Committee shall remain in power till a new Committee is elected in the next Annual General Meeting. Vacancies on the Managing Committee due to death or any other reason shall be filled up by the Managing Committee by Co-option. 5 members shall form a quorum."

4. The members of Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim as on the date of amalgamation shall be deemed to be the members of Bastora, Ucassaim Group M. P. Coop. Service Society Ltd., Bastora, Bardez-Goa.

5. All the assets and liabilities of Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., including the amount recoverable on account of credits, accrued interest etc., shall stand transferred to Bastora M. P. Coop. Service Society Ltd. The liabilities towards Government Share Capital shall be cleared immediately since the reorganised Bastora, Ucassaim Group M. P. Coop. Service Society Ltd., is to be assisted under a separate pattern of financial assistance by the Government.

6. The accumulated profit of Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim as on 30-6-1984 shall be appropriated in terms of Bye-laws No. 77. The balance of the net profit alongwith all other assets and liabilities including the amount recoverable shall stand transferred to Bastora M. P. Coop. Service Society Ltd., Bastora, Bardez. The liabilities towards Government Share Capital audit fees etc.

7. The accumulated profit of Bastora M. P. Coop. Service Society Ltd., Bastora, Bardez as on 30-6-1984 shall be appropriated in terms of Bye-laws No. 77.

8. Further, all acts done by and agreement or contract entered into by Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., with any party hitherto in any respect shall merger of this society in Bastora M. P. Coop. Service Society Ltd., Bastora, Bardez-Goa be deemed to have been done by or executed by the amalgamate units and shall continue to be valid and in form of or against Bastora M. P. Coop. Service Society Ltd., Bastora as if the amalgamation were not there.

9. All proceedings initiated by or against the Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim and pending after its amalgamation with Bastora M. P. Coop. Service Society Ltd., shall be continued and disposed off in the name of Ucassaim, Paliem, Punola M. P. Coop. Service Society Ltd., Ucassaim by the concerned authorities before which such proceedings are pending.

The amalgamation shall be effected from the date of issue of this order.

A. Y. Gore, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 28th August, 1984.

No. 1/46/80-Seva/Verem/ARNZ/84

Read:— 1) This Office Order No. 1/46/80-SEVA/VEREM/ARNZ/81 dt. 22nd Sept., 1981, whereunder Samata V.K.S.S. Society Ltd., Verem, Bardez taken into Liquidation and appointed Shri R. T. Verlekar, Bank Inspector of Goa State Coop. Bank Ltd., as Liquidator.

2) This Office Order No. 1/46/80-SEVA/VEREM/ARNZ/82, dt. 12th July, 1982, whereunder Shri D. Y. Gawas, Jr. Inspector

appointed as Liquidator in place of Shri R. T. Verlekar.

3) This Office Order No. 1/46/80-SEVA/Verem/ARNZ/83 dt. 8th Dec., 1983, whereunder Shri E. R. Kauthankar, Jr. Inspector appointed as Liquidator in place of Shri D. Y. Gawas.

Order

In virtue of the powers vested in me under Sub-Section (1) of Section 109 of the Maharashtra Coop. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, I, A. Y. Gore, Asstt. Registrar of Coop. Societies, North Zone, Mapusa hereby extend the period of Liquidator of Samata V.K.S.S. Society Ltd., Verem, Bardez upto 21-9-85.

A. Y. Gore, Asstt. Registrar of Coop. Societies, North Zone.
Mapusa, 6th September, 1984.

Notification

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman & Diu, the Utkarsh Sahakari Audyogik Utpadak Sauntha Ltd., St. Estevam-Tiswadi-Goa is registered under Code symbol No. ARCS/CZ/PRD-(a)-4/Goa.

V. S. Hardikar, Asstt. Registrar of Coop. Societies, Central Zone.

Panaji, 14th September, 1984.

Certificate of Registration

The Utkarsh Sahakari Audyogik Utpadak Sauntha Ltd., St. Estevam-Tiswadi-Goa, has been registered on 14-9-84 and it bears registration Code symbol No. ARCS/CZ/PRD-(a)-4/Goa and it is classified as a Producers Society under Sub-class 7 (a) Industrial Producers Society in terms of Rule 9 of the Cooperative Societies Rules, 1962.

V. S. Hardikar, Asstt. Registrar of Coop. Societies, Central Zone.

Panaji, 14th September, 1984.

No. 16/3/76/PHS-Cons/ARCS/CZ

Read:— 1. This office order No. 16/3/76/PHS-CONS/ARCS/CZ dated 15-3-1983 appointing Shri J. N. Braganza, Jr. Inspector Coop. Societies, Panaji as a liquidator of Peoples High School Staff and Students Consumers Coop. Society Ltd., Panaji-Tiswadi.

2. This office order No. 16/3/76/PHS-CONS/ARCS/CZ dated 14-7-83 appointing Shri R. J. Talkar, Jr. Inspector Coop. Societies, Central Zone, Panaji as liquidator of Peoples High School Staff and Students Cons. Coop. Society Ltd., Panaji in place of Shri J. N. Braganza, Junior Inspector of Coop. Societies, Central Zone, Panaji.

3. Letter No. Nil dated 13-10-83 from the liquidator of the society submitting therewith the final report in terms of section 109(2) of the Maharashtra Coop. Societies Act, 1960, as applied to the Union Territory of Goa, Daman and Diu.

Order

In virtue of the powers vested in me under provision of Section 109(1) and Section 21 of the Maharashtra Coop. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, I, V. S. Hardikar, Asstt. Registrar of Coop. Societies, Central Zone, Panaji hereby terminate the liquidation proceedings and cancel the registration bearing No. CON-71/Goa dated 17-7-1975 of Peoples High School Staff and Students Consumers Cooperative Society Ltd., Panaji with effect from the date of issue of this order.

V. S. Hardikar, Asstt. Registrar of Coop. Societies, Central Zone.

Panaji, 14th August, 1984.

Notification

In exercise of the powers vested in me under section 9(1) of the Maharastra Cooperative Societies Act, 1960 as applied

to the Union Territory of Goa, Daman and Diu, Matsya Udyog Vividh Karyakari Sahakari Society Ltd., Daman is registered under code symbol No. GEN/9(C)/Daman.

C. H. Dalal, Block Development Officer and Asstt. Registrar of Coop. Societies.

Daman, 16th July, 1984.

No. 16-21-83/AR(Dairy)/LQD

Read: This office order No. 16-21-83/AR(Dairy)/LQD dated 21st May, 1983, appointing Shri C. G. Konnuri, Coop. Officer, Coop. Societies (Dairy) Ponda as Liquidator of Kalika Sahakari Dudh Vya. Sanstha Ltd. Savarse-Sattari-Goa.

Order

In partial modification of this office order cited above, Shri G. B. Shetye, Jr. Auditor, Coop. Societies (Dairy) Ponda is hereby appointed as Liquidator of Kalika Sahakari Dudh Vyavasayik Sanstha Ltd., Savarse-Sattari-Goa in place of

Shri C. G. Konnuri, Coop. Officer, Coop. Societies (Dairy) Ponda with immediate effect.

A. V. Chikodi, Asstt. Registrar of Coop. Societies, Dairy Ponda, 12th September, 1984.

No. 16-16-83/AR(Dairy)/LQD

Read: This office order No. 16-16-83/AR(Dairy)/LQD dated 23rd May, 1983 from the Asstt. Registrar, Coop. Societies (Dairy) Ponda, appointing Shri C. G. Konnuri, Coop. Officer, Coop. Societies, Dairy, Ponda as Liquidator of Gomateshwar Sah. Dudh Vya. Sanstha Ltd., Old-Goa-Tiswadi.

Order

In partial modification of this office order cited above, Shri K. S. Gaude, Jr. Inspector, Coop. Societies, Dairy, Ponda is hereby appointed as liquidator of the Gomateshwar Sah. Dudh Vya. Sanstha Ltd., Old-Goa-Tiswadi in place of Shri C. G. Konnuri, Coop. Officer, Coop. Societies, Dairy, Ponda, with immediate effect.

A. V. Chikodi, Asstt. Registrar of Coop. Societies, Dairy Ponda, 11th September, 1984.

Revenue Department

Notification

No. 22/4/84-RD

Whereas by Government Notification No. 22/4/84-RD dated 9-5-84 published on page 127-128 of Series II, No. 7 of the Official Gazette, dated 17-5-84 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Land Acquisition for construction of Multipurpose Hall at Quepem.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after consider-

ing the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Additional Dy. Collector (2-North) Collectorate of Goa, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said land.

3. A plan of the said land can be inspected at the office of the said Additional Dy. Collector, Collectorate of Goa, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Quepem	Quepem	59	1(part)	Govt. of Goa, Daman and Diu.	1750.00
				2(part)	Comunidade of Sirvoi.	400.00
					1. Carlos Mascarenhas.	
					2. Alexinho Costa.	
					North: Road.	
					South: Road.	
					East: Survey No. 59/1 & 2.	
					West: Road.	
	Quepem	Quepem	58	2(part)	Comunidade of Sirvoi.	11310.00
					1. Alexinho Costa.	
					2. Carlos Mascarenhas.	
				3	Govt. of Goa, Daman and Diu.	670.00
					North: Road.	
					South: Existing Road.	
					East: Village boundary of Sirvoi.	
					West: Road.	
Total						14130.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 24th October, 1984.

Notification

No. 22/150/84-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of bridge across the creek between Ghoghla and Diu.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compen-

sation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Civil Administrator, Diu to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land:

1. The Civil Administrator, Diu.
2. The Executive Engineer, P.W.D. Daman.
3. The Asstt. Engineer, P.W.D., Diu.

6. A rough plan of the said land is available for inspection in the office of the Civil Administrator Diu for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
Diu	Diu		1	1	Shri Tulsidas Anta.	4867.875
Diu	Diu		2	2	Shri Harji Ganda.	2798.315
Diu	Diu		3	3 & 5	Smt. Panibai Sakar. Jaisa Hardas. Vira Pancha and Samji Morarji.	46.25
Diu	Diu		4	4	Smt. Panchibai Sakar.	56.00
Diu	Diu		5	6	Shri Jiya Hardas.	41.25
Diu	Diu		6	7	Shri Vira Pancha.	15.75
Total						7825.44

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 12th October, 1984.

Public Health Department

Order

No. 5/140/83-PHD

On the recommendations of Union Public Service Commission and in consultation with the Government of India, the Administrator of Goa, Daman and Diu is pleased to appoint Dr. B. N. Reddy to the post of Professor of Forensic Medicine, Goa Medical College, Panaji on an initial pay to be fixed according to rules in the pay scale of Rs. 1800-100-2000-125/2-2250 plus N. P. A. of Rs. 600/- p. m. with effect from 16-10-1984 (FN), until further orders, subject to the terms and conditions mentioned in the Memorandum of even number dated 10th May, 1984.

Dr. Reddy has already been declared medically fit for a Class I post at Maulana Azad Medical College, New Delhi.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 22nd October, 1984.

Industries and Labour Department

Order

No. 3/9/84-ILD

Government is pleased to promote Shri S. J. Bhandari, Superintendent (Coir), Directorate of Industries and Mines, to the post of Assistant Director (Technical, Coir, Fibre) in the pay scale of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200 created vide order No. 5/86/80-ILD-Vol. dated 21-10-83, in the Directorate of Industries and Mines, Panaji on ad-hoc basis with immediate effect for a period of six months or till such time the approval of the recruitment rules is received from Union Public Service Commission, whichever is earlier.

Shri S. J. Bhandari should look after the duties of the post of Superintendent (Coir) in addition to his own duties.

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 22nd October, 1984.

Order

No. 28/56/84-ILD

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the management of M/S Kadamba Transport Corporation Ltd., Panaji, Goa and their workman, Shri Tony L. Fernandes, Driver, r/o Pequeno Mungul, Margao Salcete-Goa, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu, Panaji, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of M/s. Kadamba Transport Corporation Limited, Panaji-Goa, in terminating the service of Shri Tony L. Fernandes, Driver, with effect from 12-10-83 is legal and justified?

If not, to what relief the workman is entitled to?

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 25th October, 1984.

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 25th September, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/23/77

1. Shri J. A. Rebelo — Workman/Party I
V/s.

1. M/s. B. K. Printers — Employer/Party II
Workman/Party I represented by Shri N. J. Rebelo and Labour).

Employer/Party II represented by Shri Ramesh Desai, Labour Advisor.

Panaji. Dated: 23-8-1984

AWARD

The Government of Goa, Daman & Diu, by its Order No. IRM/CON/(25)/77/IT-3/77/1219 dated 27th August, 1977, has referred for the adjudication of this Tribunal of an industrial dispute between the above parties. The schedule attached to the Order of reference reads as follows:

"Whether the action of the Management of M/s. B. K. Printers Panaji, Goa, in terminating the services of Shri J. A. Rebelo, Supervisor, with effect from 28th January, 1977, is legal and justified;

If not, to what relief the workman is entitled to?"

2. Union's case, as per its statement of claim, is that the workman was initially employed by the employers as a

compositor and, after having worked for sometime honestly and diligently, was promoted as a Supervisor; till the termination of his services on 28th January 1977, there was no allegation against him of any misconduct; the workman had joined the Union and was taking active part in representing the workmen's grievances to the Management; he was elected Unit Secretary of the Union and was instrumental in demanding the minimum wages which came into force w.e.f. 1-1-1977. For this reason, the Management started harbouring dislike towards the workman and sought every opportunity to create hardships and difficulties for him.

As the workman was demoted from the post of Supervisor to the post of Binder, the Union, by its letter dated 14-1-1977, protested to the Management and requested to reconsider the said decision and allow the workman to continue to work as Supervisor, but with no result. A memorandum was submitted to the Management on 27-1-1977, signed by all the workmen, in which the signature of the concerned workman appeared first to the effect that the Minimum Wages Act, which had come into force w.e.f. 1-1-1977, be implemented soon. This enraged the Management, who issued their termination letter to the workman on 28-1-1977 with immediate effect. The reason given is that they are abolishing the post of Supervisor. However, after terminating the services of the workman, they have put one Damodar Kakodkar on the job of Supervisor. The Union protested against the termination of the services of the workman, with no result. The termination is an act of victimization of the top Union activist whose only fault was to take active part in the interest of the workmen. The Union also informed the Management that, as a protest, the workman had gone on strike and would continue the same till the concerned workman was reinstated. The matter was thereafter taken up before the Labour Commissioner, where conciliation proceedings started and ended in failure, and, hence this reference.

It is submitted that the termination of the services of the workman is a clear case of victimization and unfair labour practice. It is bad in law as no opportunity was given to the workman to show cause as to why the punishment of termination should not be imposed on him if his work was not satisfactory. Therefore, it is prayed that the said termination be declared as null and void and the workman reinstated with full back wages and continuity of services.

3. The employer, in its written statement, has stated that the workman was appointed as Supervisor w.e.f. 1-6-1976. Soon many complaints were received by the Management regarding his work.

It was decided to terminate the services of the workman and to abolish the post. The Management would supervise the work personally. After discussing the case of the workman with the Union, it was agreed to give him the work of a binder on humanitarian grounds, with the same salary. Accordingly, the workman worked as a binder till 28-1-1977. On 14-1-1977, the Union wrote a letter to the Management complaining about the change of designation of the workman and demanded that he be posted back as Supervisor. On 21/28th January 1977, the Management informed the Union that, since the Union went back upon its word and since the workman is incapable of performing the duties of Supervisor and the Management is going to personally supervise the work, the services of the workman are no more required. Similarly, the Management also wrote to the workman terminating his services w.e.f. 28-1-1977. The employer has denied that the workman was originally employed as compositor and that he was promoted as Supervisor after honest and diligent work. It is admitted that, no formal allegation of any misconduct for departmental action was made against the workman but his attention was drawn to the complaints received in connection with his work and the workman was verbally advised several times to improve his work. The employer is not aware as to whether the workman was a member of the Union or Unit Secretary, taking active part in representing to the Management the workers' grievances, as alleged by him. It is admitted that a joint memorandum was submitted by the workmen to implement the minimum wages Notification; this memorandum, although bearing the date 27-1-1977, was submitted to the Management subsequent to the discharge of the concerned workman. After the termination of the services of the workman, nobody was appointed as Supervisor. Damodar Kakodkar is the brother of the partner and was looking after the maintenance and repairs of the machinery of the press since last 4/5 years.

4. Following issues were framed by the Tribunal:

"1. Does the Workman/Party I prove that he was appointed on 1-6-1976 as Compositor by the Employers/Party II?

2. Do the Employers/Party II prove that the Workman/Party I was appointed originally as Supervisor from 1-6-1976?

3. Does the Workman/Party I prove that after having worked satisfactorily as Compositor he was promoted as Supervisor?

4. Does the Workman/Party I prove that he was quite efficient in his work as Supervisor and during that time, the Employers/Party II made tremendous progress in his business?

5. Do the Employers/Party II prove that during the time the Workman/Party I worked as Supervisor there were many complaints about the work from the clients?

6. Do the Employers/Party II prove that due to such complaints, they decided to supervise the work personally and abolish the post of Supervisor?

7. Does the Workman/Party I prove that on account of his activities the Employers/Party II demoted him to the post of binder and finally terminated his services?

8. Does the Workman/Party I prove that thereby the Employers/Party II indulged in unfair labour practice and victimised me for Union activities?

9. Does the Employers/Party II prove that the termination of the services of the Workman/Party I is legal and justified?"

5. On the above issues, both parties led their evidence. The Union led the evidence of the workman J. A. Rebello and Sunil Kerkar and the employer, the evidence of V. S. Kakodkar. Arguments of both the parties representatives were heard and now the case is before me for passing the Award.

6. The workman Rebello has stated that he began working for the employer as Compositor in June 1976. He was put on trial for 2 months and then he was made a Superior; during the time he worked as Supervisor there were no complaints regarding his work; during that time, the work of the employer increased. In January 1977, he joined the Union. Prior to that, he was harassed by the employer because of the demands made by him regarding Minimum Wages, Leave and other benefits. In January, he was asked to work as a Binder. Thereafter, he joined the Union. The Union protested regarding the workman's appointment as Binder by its letter Exh. W-1 dated 14-1-1977 addressed to the Management. Exh W-2 demanding, inter-alia, the implementation of Minimum Wages is signed by him and others. His services were terminated by the employer on 28-7-1977 by Exh. W-3. He has not accepted the money offered under Exh. W-3. He was not issued any letter appointing him as Compositor or promoting him as Supervisor or reducing him to the position of Binder. He had done all the work he was asked to do; on the muster-roll, his designation is shown as Supervisor, compositor, etc. No show cause or charge sheet was given to him at any time; no inquiry was held against him prior to the termination of his services. In his cross, he has admitted that the letters Exh. M-2 and M-3 dated 29-1-1977 and 31-1-1977 were written by the Union, as per his oral request.

7. Shri Sunil Kerkar has deposed that he has worked for the employer as compositor for about 6 years. There was no Supervisor as such for the company, but the witness was asked to do this work, which he did for 5-6 months and then stopped because there was no additional pay. Then, one Asgaonkar was asked supervise. After 2-3 months, he also left; then the workman started supervising the work. At that time, there was heavy work; about 15 workers used to work in 2 shifts. The Union demanded minimum wages and other benefits; the workman was their elected spokesman; he was suddenly removed from services; Exh W-2 also bears his signature. The Union informed the Management the names of other office bearers; he informed the Management that he was elected as the Unit Secretary. Thereafter, he was removed, from services; after the services of the workman were terminated, the proprietor's brother started supervising the work. There were 15-16 employees in the press when the minimum wages were enforced. He was informed that, at the time of enforcement, more than half were getting below the minimum wages. It is not true that only 3 out of 15 were getting below the minimum. He has denied that his evidence is out of vengeance. He was served with a charge sheet by the Management before the termination of his services. One of the charges was that he was constantly absent. After his reply to the charges, an inquiry was held against him and he was suspended. The work of the workman as supervisor was always satisfactory and the output had also increased.

8. This is all the evidence of the workman.

The employer Kakodkar, in his statement, has stated that he is one of the partners of the employer firm and the Mg. Partner. The workman Rebello was employed by him as Supervisor since June 1976. Soon after, he started receiving complaints from long standing customers regarding the work of Shri Rebello. Exh W-1 was replied by him by letter dated 21-1-1977 (Exh M-3). Exh W-3 is the termination letter issued to the workman. This letter was not accepted by the workman and so it was sent under registered A/D. At the time of delivering the letter Exh W-3 personally, the workman was also offered Rs. 550-60 in cash, which he refused to accept in the presence of Ashok Naik and Timoteo D'Souza, who had signed also on Exh W-3 attesting the refusal Exh M-4. After the termination, the Union addressed a letter dated 29-1-1977 (M-5). Exh W-2 is the Memorandum signed by the workman; the Minimum rates prescribed by the Government were with effect from 1-1-1977. On the day Exh W-2 was received, not more than 3 employees were receiving their wages less than those prescribed by the Government. They received design— their salary of January as per the Government Notification on 7th February, as per the practice. Letters of M/s. Rao & Co. and M/s. Maberest Hotels Pvt. Ltd., dated 9-9-1976 and 7-1-1977 (Exh M-7 and M-8 resp.) are the complaints against the work assigned to the employer's press. In addition to this, there were also oral complaints. M-9 is a letter dated 14-2-1977 received from the Union.

In his cross, he has stated that the workman was appointed as Supervisor right from the beginning. On the muster roll Exh M-1, against the workers name, his designation is shown as Supervisor after cancelling the designation "compositor". This cancellation was done after detecting the mistake; he does not remember when the mistake was detected; *the cancellation was done by the clerk. He has denied that the cancellation was done by him personally and that it was done after the services of the workman were terminated.* He cannot say when the workman was employed on daily wages prior to June 1976 with reference to exact dates. He has denied that the workman was in employment on trial basis prior to June 1976 or thereafter. The workman was not issued any appointment letter; when the workman was working, there were 15 people working in the press, whereas there are about 5-6 workmen at present; it may be true that when Rebello was working and the witness was managing the press, the press had more work. No inquiry was held when the services of Rebello were terminated; the amount to be paid to Rebello was calculated at the rate of Rs. 272/-. He does not know whether this was the rate for supervisors. It is not true that he increased the hours of work in January 1977; he only changed the timing after consulting the workers, but when the Union protested, the original timing was restored; *all the complaints received were shown to the workman, but nothing was given to him in writing. He has denied the suggestion that no complaints were shown to the workman.* Before the workman was appointed as Supervisor, Suresh Asgaonkar was the Supervisor; he resigned somewhere in July 1976; he has denied that Asgaonkar was working as Supervisor till the end of July 1976. Shown muster roll for July 76. The name of Asgaonkar appears and his designation is Supervisor, which was subsequently cancelled. Similarly, on the muster roll of June 1976, Asgaonkar is designated as Supervisor. He is sure that Asgaonkar was working as Supervisor in June and July. On the muster roll of June and July Rebello's name appears as Supervisor. Asgaonkar and Rebello were Supervisors. On the muster roll of June and July, the designation of Rebello, which is shown as compositor, is deleted in both the places. He has not done the cancellation, but his clerk. Shown contradiction in his statement at page 7 (Exh W-7) in the Inquiry proceedings of Sunil Kerkar where he has admitted having done the cancellation in the designation of the workman. He has denied that, after the termination of the services of the workman, he has done the cancellation to prove that the workman was Supervisor. Damodar Kakodkar was not doing the Supervisor's work, but helping him in all the work. Confronted with his statement at page 7 of the Inquiry proceedings of Sabastiao Fernandes (Exh W-8) he admits that Damodar was doing Supervisory work. In the month of May 1976 he was not in Goa for few days. The other partner Mr. Bir engaged the workman on daily wages for a few days. This is all the evidence of the employer.

9. The employer Kakodkar, in his statement before the Tribunal, has stated that Shri Rebello was appointed right from the beginning as Supervisor since June 1976, which fact is denied by the workman in his statement, wherein he has stated that prior to June 1976 he was working as compositor, on trial basis, and then promoted to Supervisor. This assertion of the workman is supported by the muster roll (Exh W-5) produced by the employer in case No. IT/13/79

against Sunil Kerkar, another employee of the employer. From this muster roll it is shown that from June 1976 till January 1977 the workman has regularly signed the muster roll. In the months of June and July (Exh W-5 and M-2) his designation appears as compositor but from the month of August onwards (Exh M-3, M-5, M-6 and M-7) his designation is Supervisor. In the month of June 1977, the last month of his services with the employer, his designation is shown as Binder.

10. Except for the months of August and September 1976 during which period the designation "Supervisor" has remained untouched, in all other months it has been cancelled and changed to Binder. This cancellation, according to the workman, was done by the employer after the services of the workman were terminated. However, the employer, in his cross, had denied he having made the said alterations on the muster roll and stated that they were done by his clerk, after detecting the mistake. When confronted with his own statement in the inquiry proceedings against Sunil Kerkar at page 7 (Exh W-7), he had to admit that he himself had done the cancellation.

11. The above evidence shows, that the workman worked for the employer in the beginning as compositor during 2 months, as stated by him, and, thereafter as Supervisor.

12. The allegation of the employer that the change in the designation of the workman in the muster roll was done after the mistake was detected does not seem to be true. I am led to believe the worker's version that the said cancellation was done by the employer after the termination of his services, when the Union, of which he was an active member, took up his case with the employer. According to the workman, he was harassed by the employer because he was demanding implementation of Minimum Wages, Leave and other benefits. Exh W-2 dated 27-1-1977 addressed by all the workers to the employer refers to such demand and the fact that the worker is the first signatory to the said Exhibit would corroborate to a certain extent his allegation that he was an active member of the Union and, for this reason, harassed by the employer. It is to be noted that the services of the workman were terminated by letter dated 28-1-1977 Exh W-3 w. e. f. the date of the said letter, i. e. on the next day after the submission of Exh W-2.

13. The fact that, on the muster roll, the designation of the workman as binder in the month of January 1977 remains untouched would go to show that only in that month the workman was demoted from the post of supervisor to the post of binder but, in view of the reaction of the Union by letter dated 14-1-1977, his services were terminated (Vide Exh W-1). The reason for termination of the services of the workman as per Exh W-3 is that he was unable to carry out the functions of Supervisor. To prove this allegation, the employer, in his statement before the court, has produced 2 letters addressed to him by M/s. S. Rao and Co., and Maberest Hotels Pvt. Ltd., dated 9-9-1976 and 7-1-1977, respectively, complaining regarding the unsatisfactory work carried out by the employer's press. The production of these two letters (M-7 and M-8) as exhibits was objected to by the Ld. Rep. of the workman and my Ld. Predecessor Dr. Coelho had passed order that they "can continue on record to whatever consideration Shri Rebelo may have to do on their evidential value". The contents of the above 2 letters, which are denied by the workman, cannot have any evidentiary value since the writers of these letters were not put in the witness box and subjected to cross examination.

14. Except for the said two letters and the bare allegation of the employer that there were also oral complaints in respect of the workman, which, otherwise, are also not proved, there is no other evidence on record to show that the workman was not able to carry out properly his duties as Supervisor. On the contrary, the admitted fact that, during his tenure as Supervisor, no inquiry was held against him and the work in the press had increased, coupled with the sudden termination of the services of the workman, would lead us to infer that the said termination is of punitive nature, not bona-fide, but only to victimize the workman for his Union activities, namely demanding the implementation of the wages fixed by the Government.

15. In the premises above, I pass the following order:

ORDER

The order of the termination of the services of the workman is hereby set aside. The employer is directed to reinstate him in service with continuity and full back wages. Costs of Rs. 300/- to be paid by the employer to the workman.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 18th October, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/40/84

1. Shri Venkatesh P. Kamat
Timblo

— Workman/Party I

V/s.

1. M/s. Krishnanath B. Naik

— Employer/Party II

Panaji, Dated: 28-9-1984

AWARD

The Government of Goa, Daman and Diu, by its Order No. 28/25/83-ILD dated 25th July, 1984, has referred for the adjudication by this Tribunal of an industrial dispute between the above parties. The schedule annexed to the Order of Reference reads as follows:

"Whether the action of the management of M/s. Krishnanath Baburao Naik, Margao, Salcete-Goa, in terminating the services of their workman Shri Venkatesh P. Kamat Timblo, In-charge, with effect from 7-2-1983 is legal and justified?

If not, to what relief the said workman is entitled to?"

2. On the date fixed for the statement of claim, the workman remained present before the Court and stated that the matter has already been settled between the parties and undertook to file the settlement terms. Accordingly, sometime after, he filed the settlement terms which, both the parties, present before the Court, accepted as correct.

3. The settlement terms agreed upon between the parties are as follows:

"The undersigned states that the matter in dispute has been amicably settled between me and the workman, Shri Venkatesh P. Kamat Timblo, as detailed herein below and the workman said Shri Venkatesh P. Kamat Timblo has agreed that he has no more claims against me in respect of termination of his services:

1. One month's salary in lieu of notice pay. Rs. 420-00

2. 2 and a half months' salary towards compensation for 5 years service put in by him. Rs. 1,050-00

3. 2 and half months' salary towards gratuity. Rs. 1,050-00

4. Bonus equivalent to one month's salary. Rs. 420-00

Total Rs. 2,940-00"

4. The above settlement is fair and just to both the parties and, hence, I accept it and pass the following order:

ORDER

Consent Award in terms of the above settlement is hereby made and the reference is disposed off with no order as to costs.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 18th October, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU. PANAJI-GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/34/84

1. Mrs. Brenda Coutinho — Workman/Party I
V/s.
1. M/s. Margao Mahila Consumer Co-op. Society Ltd. — Employer/Party II

Panaji, dated: 24-9-1984

REPORT

The Government of Goa, Daman & Diu, by its Order No. 28/3/84-ILD/Part dated 30th June, 1984, has referred for the adjudication by this Tribunal of an industrial dispute between the above parties. The schedule annexed to the Order of Reference, reads as follows:

"Whether the action of the management of M/s. Margao Mahila Consumer Co-operative Society Limited, Margao, Salcete-Goa, in terminating the services of Mrs. Brenda Coutinho, Cashier with effect from 14-8-1983 is legal and justified?"

If not to what relief the workman is entitled to?"

2. Notices were sent to both the parties to file their statements. On the date so fixed, only the workman remained present and moved an application praying for time to file her statement of claim. The employer remained absent though served. Time was granted and fresh date was fixed. On the date so fixed, both the workman as well as the employer remained absent. No. Claim Statement was filed. Order was passed to proceed the case ex-parte and date was fixed for Written Statement of the employer. On the date so fixed neither the employer nor the workman remained present and no written statement was filed.

3. As this is a reference and the Court has to give its findings on the issue which is subject matter of the schedule annexed to the Order of Reference, it was for the parties to bring before the Court sufficient material to arrive at a finding, which both the parties had failed to do. In the absence of the parties and any material put before the Court by them, I am unable to give a finding on this reference. It appears that the parties are not interested in the subject matter of the dispute and so this reference be considered as disposed off.

Dr. Renato de Noronha,
Presiding Officer,
Industrial Tribunal.

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 20th October, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN & DIU, PANAJI GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/42/84

1. Shri Shaikh Muktiyar — Workman/Party I
V/s.
1. M/s. Margao Mahila Consumer Co-op. Society Ltd. — Employer/Party II

Panaji, Dated: 24-9-1984

REPORT

The Government of Goa, Daman and Diu, by its Order No. 28/12/84-ILD dated July 25, 1984, has referred for the adjudication by this Tribunal of an industrial dispute between the above parties. The schedule annexed to the Order of Reference, reads as follows:

"Whether the action of the management of M/s. Margao Mahila Consumer Co-operative Society Limited, Margao, Salcete-Goa, in terminating the services of Shri Shaikh Muktiyar, Workman, with effect from 1-6-1983 is legal and justified?"

If not, to what relief the workman is entitled to?"

2. Notices were sent to both the parties to file their statements. On the date so fixed, neither the workman nor the employer remained present although duly served with notice. No Claim Statement was filed. Order was passed to proceed the case ex-parte and date was fixed for written Statement of the employer. On the date so fixed, neither the employer nor the workman remained present and no written statement was filed.

3. As this is a reference and the court has to give a finding on the issue which is subject matter of the schedule annexed to the order of reference, it was for the parties to bring before the Court sufficient material to arrive at a finding, which both the parties have failed to do. In the absence of the parties and any material put before the Court by them, I am unable to give a finding on this reference. It appears that the parties are not interested in the subject matter of the dispute and so this reference be considered as disposed off.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Order

No. 28/2/84-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 18th October, 1984.

IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/25/84

1. Shri Roque Miranda — Workman/Party I
V/s.
 1. M/s. Goa Carbon Limited — Employer/Party II
- Workman/Party I represented by Shri Subhas Naik representing The Goa Trade & Commercial Workers' Union.
- Employer/Party II represented by Shri P. K. Lele, Labour Advisor.

Panaji. Dated 8-10-1984

AWARD

The Government of Goa, Daman & Diu, by its Order No. 28/10/84-ILD dated 15th May, 1984, has referred for the adjudication by this Tribunal of an industrial dispute between the above parties. The schedule annexed to the Order of Reference reads as follows:

"Whether the action of the management of M/s. Goa Carbon Ltd., St. Jose de Areal, Margao in retiring on superannuation the workman, Shri Roque Miranda, D. G. Set Operator with effect from 1-8-1983 is legal and justified?

If not, what relief the workman is entitled to?"

2. In his statement of claim, the workman has stated that he was appointed on 1st September 1979 to work as a Diesel Generator Set Operator in the Electrical Department at the employer's factory at San José D'Areal at Curtorim on 1st July 1983. By letter No. 790, the employer informed him that the Company had decided to terminate his services from the company on superannuation w.e.f. 1-8-1983. The retirement age of the Employer Company is 60 years. The workman was 53 years old on 1st August 1983. A dispute arose between the parties regarding the correct age of the workman. The employer, even after the production of original birth certificate, insisted that the correct age of the workman was as per his school leaving certificate, which showed that he was born on 23-8-1924 while his birth certificate showed that he was born on 23-8-1930, and, on the basis of this, retired the employee on superannuation.

3. In its written statement, the employer stated that, as per the school leaving certificate produced by the workman, his date of birth was 23-8-1924. Under clause (G) of the Standing Orders of the employer company, the age of retirement is 58 years and the employer, at his discretion, could extend this period for not more than 2 years at a time, subject to a maximum of 5 years in aggregate. The workman completed 58 years on 22-8-1982 but the employer, at his discretion, gave him an extension of one year's period and decided to retire him from 1-8-1983. It is further stated that, during conciliation proceedings, the workman produced a document purported to be original Birth Certificate issued by the Directorate of Planning, Statistics and Evaluation. It is apparent from the said certificate that the registration was done under Registration of Birth and Deaths Act 1969 and Rules framed thereunder. Such registration was done after retirement and in order to lend support to the case of the workman. The Birth of the workman is found registered in the books of Civil Registration of register for Village Chinchinim as on 23rd August 1924 under registration number 2742, as per the copy annexed. It is prayed that action of the employer in retiring the workman be upheld.

4. After issues were framed by the Court, both the parties filed an amicable settlement, the terms of which are as follows:

"A. The workman Shri Roque Miranda agrees that he has no dispute whatsoever as regards action of M/s. Goa Carbon Limited in retiring him with effect from 1-8-1983 on reaching age of superannuation.

B. The employer M/s. Goa Carbon Ltd. agree to settle all legal dues payable to Shri Miranda.

C. The dispute before the Industrial Tribunal is settled in terms of paras A and B above.

The parties, therefore, pray that Honourable Tribunal may be pleased to pass the award in terms mentioned above."

5. As the above terms of settlement are fair to both the parties, I accept the same and pass a consent award in terms of the said settlement, with no order as to costs.

Dr. Renato de Noronha
Presiding Officer
Industrial Tribunal

Finance Department (Revenue and Control)

Notification

No. 5/22/83-Fin(R&C)

In exercise of the powers conferred by sub-section (1) of section 10A of the Goa, Daman and Diu Sales Tax Act, 1964 (4 of 1964), the Government of Goa, Daman and Diu hereby amends the Government notification No. 5/22/83-Fin (R&C) dated the 7th May, 1984 published in the Official Gazette, No. 7, Series II, dated the 17th May, 1984 (hereinafter called the "said notification"), as follows:—

In the said notification, for the expression "the undertakings which are carried on by the Government or any corporation or company owned or controlled by the Government, from payment of the whole of the tax payable under the said Act, on the sale of any goods manufactured, processed or assembled by such undertakings", the expression "any undertaking which is carried on by the Government, or any corporation or company owned or controlled by the Government, or any corporation or company in which not less than fifty-one percent of the paid up share capital is held by the Government or by any corporation or company as aforesaid, from payment of the whole of the tax payable under the said Act on the sale of any goods manufactured, processed or assembled by any such undertaking, corporation or company as the case may be", shall be substituted.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. M. Nambiar, Under Secretary (Finance Exp.).

Panaji, 22nd October, 1984.

Law Department (Establishment)

District and Sessions Court

Order

No. DSC/PF/VPS/2/3440/84

Shri V. P. Shetye, Civil Judge Senior Division and Chief Judicial Magistrate, Panaji is hereby granted Earned Leave for 12 days with effect from 29-10-1984 to 9-11-1984 with permission to prefix 27th and 28th October, 1984 being 4th Saturday and Sunday and suffix 10th and 11th November, 1984 being 2nd Saturday and Sunday respectively.

Certified that but for leave he would have officiated as Civil Judge, Senior Division and Chief Judicial Magistrate.

On expiry of leave granted, he is likely to be reposted in the same post and at the same station from where he is proceeding on leave.

During his absence on leave Shri N. S. Kaissare, Civil Judge Senior Division, Bicholim is put in charge of his court in respect of urgent work of Special Civil Suits and Shri M. C. Jethani, Civil Judge Jr. Division and J. M. F. C., Panaji ('D' Court) shall look after the urgent work in respect of Regular Civil Suits and the Criminal Cases.

During the absence of Shri Shetye on leave, Shri M. C. Jethani is hereby appointed as Head of Office and Drawing and Disbursing Officer under the Delegation of Financial Power Rules, 1978, for Panaji Courts, until he resumes duty.

After availing the leave granted under this order, he will have balance of 154 days of Earned Leave at his credit.

Alvaro de Noronha Ferreira, District & Sessions Judge.

Panaji, 18th October, 1984.